

BAILEY◆KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

JOHN R. BAILEY
Nevada Bar No. 0137
JOSHUA M. DICKEY
Nevada Bar No. 6621
KELLY B. STOUT
Nevada Bar No. 12105
PAUL C. WILLIAMS
Nevada Bar No. 12524
BAILEY♦KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148-1302
Telephone: 702.562.8820
Facsimile: 702.562.8821
JBailey@BaileyKennedy.com
JDickey@BaileyKennedy.com
KStout@BaileyKennedy.com
PWilliams@BaileyKennedy.com

*Attorneys for Defendants/Counterclaimants
DaVita Inc.; DaVita Medical Holdings, LLC;
and DaVita Medical Management, LLC*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHERIF W. ABDOU, M.D. and AMIR S. BACCHUS, M.D.,

Plaintiffs,

V.

DAVITA INC., HEALTHCARE PARTNERS HOLDINGS, LLC, and HEALTHCARE PARTNERS, LLC.

Defendants.

AND RELATED CLAIMS.

| Case No. 2:16-cv-02597-APG-CWH

**STIPULATION AND ORDER TO EXTEND
DEADLINE TO FILE REPLY BRIEF IN
SUPPORT OF DEFENDANTS/
COUNTERCLAIMANTS'
COUNTERMOTION TO MODIFY THE
PRELIMINARY INJUNCTION
[ECF No. 110]**

(THIRD REQUEST)

Plaintiffs/Counterdefendants Sherif W. Abdou, M.D. and Amir S. Bacchus, M.D.

(“Abdou/Bacchus”) and Defendants/Counterclaimants DaVita Inc. (“DaVita”), DaVita Medical Holdings, LLC, f/k/a HealthCare Partners Holdings, LLC (“HCP Holdings”), and DaVita Medical Management, LLC, f/k/a HealthCare Partners, LLC (“HCP”) (collectively, the “DaVita Parties”) (collectively, the “Parties”), stipulate and agree as follows:

1 1. On February 21, 2018, the DaVita parties filed their Countermotion to Modify the
2 Preliminary Injunction (“Countermotion”) [ECF 110].

3 2. The deadline for Abdou/Bacchus to respond to the Countermotion was March 7, 2018
4 (“Opposition Due Date”).

5 3. The deadlines for the DaVita Parties to reply in support of the Countermotion was
6 March 14, 2018 (“Reply Due Date”).

7 4. The Parties submitted a Stipulation and Order to Extend Response and Reply
8 Deadlines (First Request) on March 5, 2018 [ECF No. 129], and the Court ordered that the
9 Opposition Due Date was extended to March 27, 2018 and the Reply Due Date was extended to
10 April 6, 2018 [ECF No. 132].

11 5. On March 8, 2018, Abdou/Bacchus filed a Notice of Appeal [ECF No. 136],
12 appealing to the United States Court of Appeals for the Ninth Circuit the March 7, 2018 order of the
13 district court denying the Motion to Dissolve or Modify Injunction [ECF No. 135].

14 6. The Parties submitted a Stipulation and Order to Extend Response and Reply
15 Deadlines (Second Request) on March 26, 2018 [ECF No. 152], and the Court ordered that the
16 Opposition Due Date was extended to April 27, 2018 and the Reply Due Date was extended to May
17 17, 2018 [ECF No. 154].

18 7. Currently, Defendants/Counterclaimants’ deadline to file their answering brief in the
19 appeal is May 18, 2018.

20 8. The Parties stipulate and agree that the Reply Due Date should be extended to May
21 31, 2018.

22 9. The purpose of this request is due to the time demands associated with the appeal and
23 to accommodate the schedule of counsel for the DaVita Parties.

24 ///

25 ///

26 ///

27 ///

28 ///

1 10. This is the third request for an extension of these deadlines and is not intended to
2 cause any delay or prejudice to any party.

3 DATED this 16th day of May, 2018.

4 SNELL & WILMER L.L.P.

5 By: /s/ Charles E. Gianelloni

6 PATRICK G. BYRNE, ESQ.
7 Nevada Bar No. 7636
CHARLES E. GIANELLONI, ESQ.
Nevada Bar No. 12747
3883 Howard Hughes Parkway
Suite 1100
Las Vegas, Nevada 89169.
Phone: (702) 784-5200
Fax: (702) 784-5252

10 *Attorneys for Plaintiffs/Counterdefendants*
11 *Sherif W. Abdou, M.D. and Amir S.*
12 *Bacchus, M.D.*

DATED this 16th day of May, 2018.

BAILEY♦KENNEDY

By: /s/ Paul C. Williams

JOHN R. BAILEY
JOSHUA M. DICKEY
KELLY B. STOUT
PAUL C. WILLIAMS

Attorneys for Defendants/Counterclaimants
DaVita Inc.; DaVita Medical Holdings, LLC; and
DaVita Medical Management, LLC

13 **ORDER**

14 **IT IS SO ORDERED.** The Reply Due Date in support of the Counter motion is extended to
15 May 31, 2018.

16 
17

18 UNITED STATES DISTRICT JUDGE

19 Dated: May 17, 2018.

20 Respectfully Submitted by:

21 BAILEY♦KENNEDY

22 By: /s/ Paul C. Williams

23 JOHN R. BAILEY
24 JOSHUA M. DICKEY
25 KELLY B. STOUT
26 PAUL C. WILLIAMS

27 *Attorneys for Defendants/Counterclaimants*
28 *DaVita Inc.; DaVita Medical Holdings, LLC; and*
29 *DaVita Medical Management, LLC*